

Panaji, 18th July, 1985 (Asadha 27, 1907)

SERIES II No. 16

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

#### Department of Personnel and Administrative Reforms

Order

No. 6/6/74-PER-Part

Read:- i) Order No. 3-17/74-PER(Vol.I) dated 12-2-1981.  
ii) Notification No. 6-12-74-SPL dated 29-1-1977.

The Administrator of Goa, Daman and Diu is pleased to grant proforma promotion w.e.f. 18-2-1977 to Shri P. I. V. Noronha, in the Grade I (Selection Grade) post of the Goa, Daman and Diu Civil Service for the purpose of his pay fixation/regulation of increments in the Selection Grade post of the said service.

2. It is certified that all his seniors are/were drawing pay in the Selection Grade on or before 18-2-77 and his junior officers next below him started drawing pay in the Grade I (Selection Grade) post of the service from the date Shri Noronha has been granted proforma promotion.

3. Shri P. I. V. Noronha has been granted proforma promotion consequent upon ad-hoc promotion of his junior viz. Shri R. I. Jaiprakash to Grade I of the service w.e.f. 18-2-1977.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 11th July, 1985.

Order

No. 3/13/85-PER

Sanction is hereby accorded for grant of 43 days earned leave to Dr. Bansi Dhar, IAS, Secretary (Finance) with effect from 12th July, 1985 to 23rd August, 1985 with permission to suffix 24th August and 25th August, 1985, subject to title.

2. On expiry of leave the Administrator of Goa, Daman and Diu is pleased to relieve him from this Administration with directions to report to the Chief Secretary, Delhi Administration, Delhi in terms of the Government of India, Ministry of Home Affairs order No. U.14020/1/85-UTS dated the 3rd July, 1985 to take over his new assignment.

3. Dr. Bansi Dhar, IAS shall hand over the charge of the post of Secretary (Finance) to Dr. S. K. Gandhe, Special Secretary (Planning). Till the regular Officer posted by the Ministry of Home Affairs in the post of Secretary (Finance) joins, the portfolios of Town and Country Planning and Health being looked after by Dr. S. K. Gandhe as Development Commissioner shall be held by Shri V. V. Bhat, IAS, Secretary (Revenue) and Shri R. K. Bhatia, IAS, Secretary (General Administration) respectively. S/Shri Bhat and Bha-

tia will hold these portfolios till such time as Dr. S. K. Gandhe holds the additional charge of the post of Secretary (Finance) or till the regular Officer for the post of Development Commissioner joins, whichever is earlier.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 11th July, 1985.

#### Planning Department

Order

No. 4-35-70/PLG

In supersession of this Department's order of even number dated 20-5-1985, Government is pleased to place the services of Shri S. S. Kolvekar, Group 'A' Gazetted Officer of the Common Statistical Cadre of Goa, Daman and Diu at the disposal of the Rural Development Agency, Panaji for appointment to the post of Assistant Project Officer (Monitoring) on temporary basis on deputation for a period of one year with effect from 27-5-1985 (F.N.).

The above appointment will be governed by the standard terms of deputation as laid down by the Government of India, Ministry of Finance O.M. No. F-1(11)-E-III (B) dated 7-11-1975 as amended from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. W. Rane Sardesai, Under Secretary (Planning).

Panaji, 8th July, 1985.

Order

No. 4-19-75/PLG-Vol-II

Read: Government Order No. 4-19-75/PLG-Vol-II dated 19-10-1984.

The High Court of Judicature at Bombay, Panaji Bench (Goa) having set aside the promotion of the following Officers namely S/Shri A. M. Shaikh, Ivo Furtado, J. L. M. P. Dias who were promoted on regular basis in officiating capacity to the posts of Statistical Officer Group 'B' Gazetted in the scale of pay of Rs. 650-1200 in the Common Statistical Cadre of the Directorate of Planning, Statistics and Evaluation, Panaji vide Government Order cited above, the Administrator of Goa, Daman and Diu is pleased to revert them to their original posts of Research Assistant in the scale of pay of Rs. 550-900 of the same cadre with immediate effect.

By order and in the name of the Administrator of Goa, Daman & Diu.

P. W. Rane Sardesai, Under Secretary (Planning).

Panaji, 8th July, 1985.

## Order

No. 4-19-75/PLG-Vol-II

On recommendation of Group 'B' Departmental Promotion Committee of the Common Statistical Cadre, the Administrator of Goa, Daman and Diu is pleased to appoint the following Research Assistants to the post of Statistical Officers Group 'B' Gazetted in the scale of pay of Rs. 650-30-740-35-810-EB-35-880-40-1200 of the same cadre on regular basis in an officiating capacity with immediate effect.

Sr. No.	Name of Officer with present designation and place of posting	Place of posting on promotion on regular basis
1	2	3
1.	Shri M. R. Kulkarni, Statistical Officer on ad-hoc basis in the Directorate of Planning, Statistics & Evaluation, Panaji.	Statistical Officer in the Directorate of Planning, Statistics and Evaluation, Panaji.
2.	Shri S. M. Naik, Statistical Officer on ad-hoc basis in the Directorate of Planning, Statistics and Evaluation, Panaji.	Statistical Officer in the Directorate of Planning, Statistics and Evaluation, Panaji.

2. Further on recommendation of Group 'B' Departmental Promotion Committee of the Common Statistical Cadre, the Administrator is also pleased to appoint the following Research Assistants to the post of Statistical Officers Group 'B' Gazetted in the scale of pay of Rs. 650-30-740-35-810-EB-35-880-40-1200 of the same cadre on ad-hoc basis with immediate effect for a period of six months.

Sr. No.	Name of the Officer with present designation and place of posting	Designation and place of posting on promotion on adhoc basis	Remarks
1	2	3	4
1.	Shri R. B. Dessai, Research Assistant in the Dte. of Social Welfare, Panaji.	Statistical Officer in the Dte. of Planning, Statistics & Evaluation, Panaji.	Vice Shri P. J. Jose Statistical Officer voluntary retired.
2.	Shri Ivo Furtado, Statistical Officer on regular basis in the Dte. of Industries & Mines, Panaji since reverted.	Statistical Officer in the Dte. of Industries and Mines, Panaji.	
3.	Shri A. M. Shaikh, Statistical Officer, on regular basis in the Collectorate of Daman, Daman since reverted.	Statistical Officer in the Collectorate of Daman, Daman.	
4.	Shri J.L.M.P. Dias, Statistical Officer on regular basis in the Dte. of Planning, Statistics & Evaluation, Panaji since reverted.	Statistical Officer in the Dte. of Planning, Statistics and Evaluation, Panaji.	

3. The above ad-hoc promotions will not bestow on the officers any claim for regular appointment and services rendered in such capacity in the grade will not count for the purpose of seniority in the grade and for eligibility for promotion to the next higher grade.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. W. Rane Sardesai, Under Secretary (Planning).

Panaji, 8th July, 1985.

## Education Department

## Order

No. 8/74/78/WET

Government is pleased to reconstitute the Goa, Daman and Diu State Council of Sports having the following members with immediate effect. The tenure of the Sports Council will be for a period of three years with effect from the date of its reconstitution.

1. Hon'ble Chief Minister, Govt. of Goa, Daman & Diu, Secretariat, Panaji — President.
2. Hon'ble Minister for Sports, Govt. of Goa, Daman & Diu, Secretariat, Panaji — Member.
3. Shri Subhash Shirodkar, M.L.A. Shiroda — Member.
4. Shri Chandrasekhar S. Diukar, M.L.A. Mapusa — Member.
5. Secretary Education, Govt. of Goa, Daman & Diu, Secretariat, Panaji — Member.
6. Director of Accounts, Directorate of Accounts, Panaji-Goa — Member.
7. Mr. T. Spadigam, C/O Dempo House, Panaji — Member.
8. Mr. Satish Buccam, Takaband Samitra Sports Club, Cuncolim-Salcete — Member.
9. Dr. Vijay Thali, Thali Nursing Home, Post St. Cruz — Member.
10. Mr. Cezar Menezes, Cosme Matias Menezes Pvt. Ltd. Panaji — Member.
11. Miss Farrel Furtado, Masbhat, Margao-Salcete — Member.
12. Capt. A. Rebello, Captain of Ports, Panaji — Member.
13. Mrs. Vimal Kamat, Near Metropole, Margao-Salcete — Member.
14. Adv. Daniel Rodrigues, Bairro Alto, Ponda. — Member.
15. Mr. S. N. Mulla, C/O Anjuman High School Vasco-da-Gama — Member.
16. Principal Mr. M. S. Kamat, M.E.S. College of Arts and Science, Vasco-da-Gama — Member.
17. Mrs. Nina D'Silva, Custom House, Panaji — Member.
18. Mr. Jaishigh Mangallal, Velho Filhos Building, Panaji — Member.
19. Mr. Prashant Joshi, P. B. 277, Panaji — Member.
20. Mr. C. V. Fernandes, Principal, M.I.P.K. High School, Khandepar — Member.
21. Mr. Joe Vaz, Sesa Goa Pvt. Ltd., Near All India Radio, Altinho-Panaji — Member.
22. Mr. Mauvin Godinho, Youth Leader, Mangor Hill, Vasco-da-Gama — Member.
23. Shri Bikram Vohra, Editor of Navhind Times, Panaji — Member.
24. Mr. Jovito Lopes, Rua de Natar Fontainhas, Panaji-Goa — Member.
25. Mr. P. M. V. Tarakan, Phy. Edn. Director, St. Xavier's College, Mapusa-Goa — Member.
26. Mr. Ramchandra B. Jirage, Asstt. Officer in Phy. Education, Education Department, Panaji-Goa — Member.
27. Director of Sports & Cultural Affairs, Panaji-Goa — Member Secretary.

By order and in the name of the Administrator of Goa, Daman and Diu.

D. N. Accarwade, Under Secretary (Education).

Panaji, 9th July, 1985.

## Forest and Agriculture Department

## Office of the Asstt. Registrar of Cooperative Societies

No. 1/37/78-Seva/Honda/ARNZ/85

Read:- 1) This Office Order No. 1/37/78-Seva/Honda/ARNZ/81 dt. 21st Nov., 1981 taking the Honda Group V. K. S. S. Society Ltd., Honda, Sattari into liquidation and appointed to Shri R. J. Parab, Bank Inspector as a Liquidator.

- 2) This Office Order No. 1/37/78-Seva/Honda/  
/ARNZ/81 dt. 2nd June, 1982, whereunder Shri  
P. H. Gawas, Bank Inspector appointed as a  
Liquidator in place of Shri R. J. Parab.

## Order

In virtue of the powers vested in me under Section 109 (1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone, Mapusa hereby extend the period of the Liquidator of Honda Group V.K.S.S. Society Ltd., Honda, Satari upto 20-11-1985.

A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone.  
Mapusa, 30th May, 1985.

No. 4/12/72-Seva/Guleli/ARNZ/85

Read:- This Office Order No. 4/12/72-SEVA/Guleli/  
/ARNZ/81 dt. 25-11-1981, whereunder the Guleli  
Group V.K.S.S. Society Ltd., Guleli, Satari taken  
into Liquidation and appointed a Liquidator to  
Shri Somnath D. Gawas, Bank Inspector.

## Order

In virtue of the powers vested in me under Section 109 (1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone, Mapusa hereby extend the period of the Liquidator of Guleli Group V. K. S. S. Society Ltd., Guleli, Satari upto 24-11-1985.

A. Y. Gore, Asstt. Registrar of Coop. Societies, North Zone.  
Mapusa, 30th May, 1985.

No. 7-24-77/ARSZ/LQD/7057

Read:- (1) Order No. CON-45/Goa/LQD/73 dated  
28-3-1973 from the Dy. Registrar of Coop. So-  
cieties, Goa, Daman & Diu, Panaji-Goa placing  
the Fatorda Cons. Coop. Society Ltd., Fatorda-  
Salcete under liquidation and appointing li-  
quidator in terms of Section 103 (1) of Maha-  
rashtra Cooperative Societies Act, 1960 as  
applied to the Union Territory of Goa, Daman  
& Diu.

- (2) Final Report of the liquidator of the society  
under letter No. INSP/SZ/LQD/FCCS/FR/83  
dated 24-6-1983 in terms of Section 109(2) of  
the Maharashtra Cooperative Societies Act,  
1960 as applied to the Union Territory of  
Goa, Daman & Diu.

## Order

In virtue of the power vested in me under provision of Section 109(2) and 21 of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman & Diu, I, M. A. Desai, Asstt. Registrar of Coop. Societies, South Zone, Margao-Goa hereby terminate the liquidation proceedings and cancel the registration bearing No. CON-45/Goa dated 22-9-1965 of Fatorda Consumers Coop. Society Ltd., Fatorda-Salcete with effect from the date of issue of the order.

M. A. Desai, Asstt. Registrar of Coop. Societies, South Zone.  
Margao, 6th June, 1985.

No. 7-47-75/ARSZ/LQD/7049

Read:- (1) Order No. 459-(a)-32/Goa/75-76 dated  
17-3-1976 from the Asstt. Registrar of Coop.  
Societies, Goa, Daman & Diu, Panaji placing  
the Goa Railwaymen's House Building Coope-  
Society Ltd., Sanvordem under liquidation and  
appointing liquidator in terms of Section  
103(1) of Maharashtra Cooperative Societies  
Act, 1960 as applied to the Union Territory  
of Goa, Daman & Diu.

- (2) Final Report of the liquidator of the Society  
under letter dated 13-6-1983 in terms of  
Section 109(2) of the Maharashtra Coopera-  
tive Societies Act, as applied to the Union  
Territory of Goa, Daman & Diu.

## Order

In virtue of the powers vested in me under provision of Section 109(2) and 21 of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman & Diu, I, M. A. Desai, Asstt. Registrar of Coop. Societies, South Zone, Margao-Goa hereby terminate the liquidation proceedings and cancel the registration bearing No. RES-(a)-32/Goa dated 18-1-1973 of Goa Railwaymen's Coop. House Building Society Ltd., Sanvordem Curchorem with effect from the date of issue of the order.

M. A. Desai, Asstt. Registrar of Coop. Societies, South Zone.  
Margao, 6th June, 1985.

## Public Works and Urban Development Department

## Order

No. 3/29/78-LAWD/MUN/GEN

In exercise of powers conferred under Section 72 of the Goa, Daman and Diu Municipality Act, 1968 as amended under Act 17 of 1978, Government is pleased to appoint Shri J. S. Rego, Asstt. Surveyor of Works, P.W.D., as Assistant Engineer of Panaji Municipal Council on deputation basis, for a period of two years at the first instance, with immediate effect, as per the normal terms of deputation amended from time to time.

The Chief Engineer, Public Works Department, may relieve Shri Rego immediately to take up his new posting.

By order and in the name of the Administrator of Goa,  
Daman and Diu.

A. V. Pimenta, Under Secretary (PW & UD).

Panaji, 4th July, 1985.

## Revenue Department

## Notification

No. 22/93/85-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land acquisition for construction of Sports Complex at Nanus, Satari.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Deputy Collector (HQ-2) Collectorate of Goa, Panaji to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Addl. Dy. Collector (HQ-2) Collectorate of Goa, Panaji.

3. The Director of Sports & Cultural Affairs, Panaji
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Addl. Dy. Collector (HQ-2) Collectorate of Goa, Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Survey No.	Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Satari	Nanus	24	1	1. Shaik Azis Shaik Hassan. 2. Shaik Idrooz Shaik Isub. 3. Shaik Karim Saik Abdulla.	30.600.00
			24	2	1. Mahamad Aga.	
Boundaries:						
North: S. No. 23/6, S. No. 24.						
South: S. No. 24.						
East: S. No. 24.						
West: Road.						
Total .....						30.600.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (Revenue).

Panaji, 3rd July, 1985.

#### Notification

No. 22/101/85-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government"), that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land acquisition for construction of road from Sarvodaya High School to Railwayline at Curchorem.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Additional Dy. Collector (3-South), Margao, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Addl. Deputy Collector (3-South), Margao.
3. The Block Development Officer, Quepem Goa.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Addl. Dy. Collector (3-South), Margao for a period of 30 days from the date of publication of this Notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village	Survey No.	Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Quepem.	Curchorem	243 part	—	1. Janardhan Raghuvir Sinai Curchodkar. 2. Milin Vaman Sinai Curchodkar. 3. Rajandra Vaman Sinai Curchodkar. 4. Uday Ganesh Sinai Curchodkar. 5. Kusha Raghuvir Sinai Curchodkar. 6. Lavu Raghuvir Sinai Curchodkar. 7. Prakash Ganesh Sinai Curchodkar. 8. Somnath Ganesh Sinai Curchodkar.	900.00
Boundaries:						
North: Road.						
South: Road.						
East: S. No. 246, S. No. 243.						
West: S. No. 243 & S. No. 242.						
Total .....						900.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (Revenue).

Panaji, 3rd July, 1985.

## Notification

No. 22/244/84-RD

Whereas by Government Notification No. 22/244/84-RD dated 19-1-85 published on pages 773-779 of Series II, No. 42 of the Official Gazette dated 21-1-85 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) that the land specified in the schedule appended to the said Notification (hereinafter referred to as the said land) was likely to be needed for public purpose viz. Construction of Left Bank Main Canal of Anjunem Project (IInd stretch) at Querim, Satari.

And whereas the Government is of the opinion that its acquisition is urgently necessary, the provisions of sub-section (1) and sub-section (4) of Section 17 of the said Act are made applicable and that the Collector appointed under paragraph 2 below shall at any time on expiry of 15 days from

the publication of notice relating to the said land under sub-section (1) of Section 9 of the said Act take possession of the said land.

Now therefore the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer (North) Duler, Mapusa, to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Special Land Acquisition Officer (North) Duler, Mapusa till the award is made under Section 11.

## SCHEDULE

(Description of the said land)

Taluka	Village	Survey No.	Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3	4	5	6
Satari	Querim	201	2 part	1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutao Rane Sardessai. 7. Prataprao Nansaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane Sardessai. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Shaik Rehman Shaik Razak.	1700.00
		201	7 part	1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutao Rane Sardessai. 7. Prataprao Nansaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Ramchandra Bhiva Naik.	1900.00
		200	7 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutao Rane Sardessai. 7. Prataprao Nansaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai.	3550.00

1	2	3	4	5	6
Satari	Querim	200	7 part	12. Anantrao Dinkarao Rane Sardessai. 13. Malasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Sitaram Mahadev Gauns.	
			9 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. 22. Kusta Laximan Gauns. T: Nil.	400.00
			8 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Malasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai.	300.00
166			2 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Rama Laximan Gauns.	1050.00
167			1 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar.	50.00

1	2	3	4	5	6
Satari	Querim	167	1 part	3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Vithal Sukdo Judev.	
		166	1 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Rama Narayan Majik.	725.00
		168	1 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: 1. Shivaji Sagun Jagdev. 2. Sagun Shivaji Jagdev.	3600.00
		181	3 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai.	170.00

1	2	3	4	5	6
Satari	Querim	181	3 part	17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Narayan Babli Gauns.	
		183	1 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Jaisingrao Venkatrao Rane Sardessai. 10. Indurao Venkatrao Rane Sardessai. 11. Shabaka Bacharam Prabhu Dessai. 12. Anantrao Dinkarao Rane Sardessai. 13. Balasaheb Rausaheb Rane Sardessai. 14. Ganpatrao Balasaheb Rane Sardessai. 15. Tulsibai Bala Rane. 16. Mahadevrao Laximanrao Rane Sardessai. 17. Vishvasrao Laximanrao Rane Sardessai. 18. Bagwantrao Laximanrao Rane Sardessai. 19. Ramrao Venkatrao Rane Sardessai. 20. Sripadrao Venkatrao Rane Sardessai. 21. Govindrao Venkatrao Rane Sardessai. T: Ramchandra Ghanaji Dawaskar.	200.00
		201	3 part	H: 1. Manoramabai Rane & heirs of Raujirao Rane. 2. Ganpat Rauji Jugar. 3. Zaiba Satroji Rane Sardessai. 4. Tarabaisaheb Gaikwad. 5. Krishnarao Satroji Rane Sardessai. 6. Dattajirao Amrutrao Rane Sardessai. 7. Prataprao Nanasaheb Rane Sardessai. 8. Jayaji Nanasaheb Rane Sardessai. 9. Indurao Venkatrao Rane Sardessai. 10. Shabaka Bacharam Prabhu Dessai. 11. Anantrao Dinkarao Rane Sardessai. 12. Balasaheb Rausaheb Rane Sardessai. 13. Ganpatrao Balasaheb Rane Sardessai. 14. Tulsibai Bala Rane. 15. Mahadevrao Laximanrao Rane Sardessai. 16. Vishvasrao Laximanrao Rane Sardessai. 17. Bagwantrao Laximanrao Rane Sardessai. 18. Ramrao Venkatrao Rane Sardessai. 19. Sripadrao Venkatrao Rane Sardessai. 20. Govindrao Venkatrao Rane Sardessai.	10.00
Total .....					13655.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (Revenue).

Panaji, 3rd July, 1985.

### Public Health Department

Order

No. 5/34/82-PHD

Read Order No. 5/2/82-PHD dated 24-11-1984

The resignation tendered by Dr. Jagjit Singh Saini, Assistant Professor of Ophthalmology, Goa Medical College, Panaji, Goa, is hereby accepted by the Government with effect from 30-6-1985 (A. N.), the date of his relief from the Goa Medical College, Panaji-Goa.

2. There are no dues outstanding against Dr. Jagjit Singh Saini.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 9th July, 1985.

Order

No. 5/2/84-PHD

The resignation tendered by Dr. Shodan V. Kamat, Jr. Orthopaedic Surgeon under the Directorate of Health Services is accepted with effect from 30-4-1985.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 11th July, 1985.

### Industries and Labour Department

Order

No. 23/10/79-ILD

With a view to have an uniformity in fixation of minimum rates of wages in employment falling outside the purview of The Minimum Wages Act, 1948, Government is pleased



to constitute a Committee consisting of the following members: -

1. The Commissioner, Labour & Employment — Chairman.
2. The Chief Engineer, P.W.D. or his authorised nominee — Member.
3. The Collector of Goa, Panaji or his authorised nominee — Member.
4. The Under Secretary (Finance Exp.), Sectt. Panaji — Member.

The Committee will study the question of fixation of pay in detail and will advise the Government in the matter of the fixation of the minimum rates of wages for daily rated/casual labour engaged in the various Government Departments.

The Committee should submit its report within three months time.

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 5th July, 1985.

Order

No. 28/23/85-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the management of M/s. Goa Shipyard Limited, Vasco-da-Gama, Goa, and their workman Shri John Rodrigues, residing Near the Church, Waddant, Vasco-da-Gama, Goa in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu, Panaji, Goa, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the action of the management of M/s. Goa Shipyard Limited, Vasco-da-Gama, Goa, in terminating the services of Shri John Rodrigues, Mazdoor, with effect from 30-11-82 is legal and justified.

If not, to what relief the workman is entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 3rd July, 1985.

Order

No. 28/35/85-ILD

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the management of M/s. Kadamba Transport Corporation Limited, Panaji-Goa, and their workman, Shri Ulhas D. Naik, Conductor represented through Kadamba Transport Corporation Workers' Union, Banastari, Marcela, Ponda-Goa, in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Lieutenant Governor of

Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu, Panaji, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the action of the employer, M/s. Kadamba Transport Corporation Limited, Panaji-Goa, in refusing the employment to Shri Ulhas D. Naik, Conductor w.e.f. 9-1-1985 is legal and justified.

If not, to what relief the workman is entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 11th July, 1985.

Order

No. 28/4/85-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Industries and Labour).

Panaji, 10th June, 1985.

#### IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN AND DIU, PANAJI GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No.: IT/29/82

1. Workmen — Party I

V/s.

1. M/s. Bhawani Saw Mills — Party II

Party I represented by Shri P. Ghodge, President of the Goa Shops & Industrial Workers' Union.

Party II represented by Shri B. G. Kamat, Labour Advisor.

Panaji. Dated: 4-5-1985

#### AWARD

The Government of Goa, Daman & Diu, by its Order No. 28/31/81-ILD dated 3rd June, 1982, has referred for the adjudication by this Tribunal of an industrial dispute between the above parties. The schedule attached to the Order of Reference reads as follows:

"Whether the following demands of the workman of M/s. Bhawani Saw Mill, Margao represented by Goa Shops and Industrial Workers' Union, Margao, to be effective from 1-1-1980, is justified?

If so, what relief the workmen are entitled to under separate Heads of Demands:

#### 1. Classification:

The employees should be classified in the following categories:

- (a) Skilled
- (b) Semi-skilled
- (c) Unskilled

#### 2. Pay Scale & Fitment:

Each employee according to this category should be fitted in the following pay scale taking into consideration the years of service put in by him.

- i) Skilled — 401-25-575-30-725
- ii) Semi-skilled — 375-20-475-25-600
- iii) Unskilled — 250-15-325-20-425

**8. Earned Leave:**

The workman should be allowed, on completion of continuous service of 240 days, to annual leave with pay at the rate of 30 days for every completed year of service to be accumulated upto 180 days.

**4. National Holidays:**

All the workmen should be granted paid National Holidays and all the Industrial Holidays as declared by the Government of Goa, Daman and Diu from time to time for observance by the Industrial Workman.

**5. Medical Expenditure:**

All the workmen should be allowed reimbursement of medical expenses to the extent of Rs. 250/- per Year."

2. In its statement of claim, the Union tries to justify the various demands made in its charter submitted to the employer, which demands are referred to above in the schedule to the order of reference.

3. The employer, in its written statement, has denied that the Union is entitled to get the said demands and submitted that the demands made are extravagant, unrealistic and completely overlook the size, quantum and nature of work done by the workman and the financial capacity of the employer to meet the said demands or part thereof. It is further stated that, in fact, the prevalent rates of wages, earned leave and other benefits like paid holidays granted by the employer are more favourable than those followed by other establishments of the same or similar industry.

4. Following issues were framed by the Tribunal:

"Besides the Issues involved in the Order of Reference, the following additional issue is hereby framed:

Whether the employer proves that this reference is not maintainable as the Union has no locus standi to sponsor the dispute of the workmen?"

5. After evidence of the employer had started, both the parties approached the Court with an application stating that the matter has been amicably settled between them and so the Union does not press any of the demands set out in the Charter and pray that a consent award be passed on the basis of the said settlement.

6. Since the parties have settled the matter amicably between them and the Union does not press any of the demands made in the Charter which is subject matter of this reference, the reference to be treated as disposed off accordingly. No order as to costs.

**Dr. Renato de Noronha**  
Presiding Officer  
Industrial Tribunal

Order

No. 28/4/85-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

**Subhash V. Elekar**, Under Secretary (Industries and Labour).

Panaji, 17th June, 1985.

**IN THE INDUSTRIAL TRIBUNAL GOA, DAMAN & DIU,  
PANAJI GOA**

(Before **Dr. Renato de Noronha**, Hon'ble Presiding Officer)

Reference No.: IT/22/84

1. Shri P. S. Gurav	Workman/Party I
V/s.	
1. M/s. V. N. S. Engineering & Services Company	Employer/Party II

Workman/Party I represented by Shri K. V. Nadkarni, Labour Consultant.

Employer/Party II represented by Shri R. V. Gaitonde, Labour Consultant.

Panaji. Dated: 9-5-1985

**AWARD**

The Government of Goa, Daman and Diu, by its Order No. 38/23/83-ILD dated April 24, 1984, has referred for the adjudication of this Tribunal of an industrial dispute between the above parties. The schedule annexed to the Order of reference reads as follows:

"Whether the action of the employer, M/s. V. N. S. Engineering and Service Company, Margao, Salcete-Goa, in terminating the services of Shri P. S. Gurav, Sales Assistant w.e.f. 22-1-1983 is legal and justified?"

If not, to what relief the said workman is entitled to?"

2. Workman's case, as per his statement of claim, is that he was employed by the firm M/s. V. N. S. Engineering & Services Company, Margao Goa, from 1-6-1982 by appointment order dated 31-5-1982. The terms of employment, as per the appointment order, contained inter-alia the following clauses:

a) Clause No. 1: The initial period of probation will be six months but the management reserves the right to extend this period, if found necessary. If, at the end of the period of probation, you are found suitable, your appointment will be confirmed by us in writing.

b) Clause No. 2: During the probationary period, if your work, attendance, and conduct are not found satisfactory, your services are liable to be terminated without giving you any notice or pay in lieu thereof, or without assigning any reasons thereto.

c) Clause No. 5: After completion of your probationary period or earlier, if your work, attendance, conduct and medical report are found satisfactory, your appointment will be confirmed in writing and you will be placed in a suitable grade.

(d) Clause No. 6: No leave of any kind is permissible during the period of probation. Only after confirmation in service of the company, you will be entitled for leave in accordance with and subject to the Company's leave rules in force from time to time.

e) After confirmation, either party to this employment may terminate it by giving one month's notice in writing to the other.

The workman was initially employed in M/s. Aaren Sales and Services as a Sales Representative-cum-Store Keeper, w.e.f. 18-5-1981, Shri M. V. Nevrenkar, Sr. Partner of M/s. V. N. S. Engineering Services Company, being the Mg. Trustee of M/s. Aaren Sales & Services. While the workman was employed on the roll of M/s. Aaren Sales and Services, Mr. Nevrenkar, Mg. Trustee of the firm called the workman in his cabin on 31-5-1982 and informed him that he is closing down the operation of M/s. Aaren Sales and Services and that the workman should voluntarily resign from the firm so that he could join M/s. V. N. S. Engineering and Service, which suggestion the workman agreed, since he was not entitled to claim compensation from the employer due to short term of his services in the said Aaren Sales and Services. Accordingly, the workman tendered his resignation.

Ever since he joined the organisation he was performing his duties to the full satisfaction of the Management and, in view of his dedicated services to the firm, the Management waived the stipulated probation period of 6 months as per clause 1 of the letter of appointment and the services of the workman were confirmed by the Management by their letter dated 22-9-1982.

Right from the date of his appointment till his illegal termination of his services, he was working very hard and at a time for more than 10 to 12 hours a day without any payment of over time or any other extra monetary benefits or compensation for the extra hours of services rendered by him. He had to work also on Sundays and holidays when there was urgent work and also attended to service staff to supply spares etc. at outdoor places in Goa and outside Goa.

In spite of this exploitation by the employer, the workman being freshly appointed in the said firm was placed in a very delicate situation always under a threat of termination or dismissal in the event he had even grumbled about the exploitation by the firm. Clause 5 of the letter of appointments stated that: "After completion of your probationary period or earlier, if your work, attendance, conduct and medical report are found satisfactory, your appointment

will be confirmed in writing and you will be placed in a suitable grade. The employer, however, although confirmed the services of the workman in writing as far back as 22-9-1982 did not grant him any grade or pay scale either at the time of his confirmation or any day thereafter till his termination thus violating the terms of employment governing his service conditions.

The workman further submits that, some where in the third week of June 1982, Mr. Nevrenkar Sr. Partner of the firm conveyed to all the staff orally that w.e.f. 26-6-1982 he was withdrawing the long enjoyed facility of Saturday half day and that henceforth the staff would be required to work full day on Saturday. This was another form of exploitation of the staff, which amounts to change in service condition of employees and violation of Section 9A of the Act. On 22-1-1983, when the workman had been to Shri M. V. Nevrenkar, casually inquired with him about the pay grade. Mr. Nevrenkar got very wild and told the workman that his services are not wanted and he is terminated with effect from the close of office hours on that very day. The workman remained quiet and came out of the cabin of the employer. At the end of that day, when the workman was about to leave the office, he was issued a letter of termination with immediate effect. The reason given in the termination letter is: "The Management was not happy with the work of workman". It is submitted that the said allegation made by the Management against the workman amounts to misconduct and ought to have been proved by the Management before terminating the services of the workman, after giving reasonable opportunity to the workman to defend himself from the said charge. It is also submitted that, during the period of his employment in the firm i.e. from 1-6-1982 till 22-1-1983 the Management had at no time made any allegations or charges against him about his unsatisfactory work, nor the workman was at any time issued any letter, memo or any other communication about the so called unsatisfactory work. The Management had confirmed the services of the workman after declaring that the past services were dedicated services and this prevailed upon the Management to confirm him within 4 months only, though originally the workman was to be under probation of 6 months, as per the letter of appointment. The employer's establishment is also covered under Goa, Daman & Diu Shops and Establishments Act 1973. The employer, however, while terminating the services of the workman has not complied with the mandatory provisions of the said Act and Rules. The workman raised the issue of illegal termination by the employer vide his letter dated 17-2-1983. The Management, however, did not reply to the said letter. It is prayed that the action of the Management in terminating the services of the employee being vindictive and a pure case of victimization of unfair labour practice be declared as illegal and the workman reinstated in services with continuity and full back wages.

3. The employer, in its written statement, has denied, in general, the allegations made by the workman in his statement of claim and specially alleged that confirmation letter dated 22-9-1982 issued to the workman was not because the workman was performing his duties to the full satisfaction of the employer, as contended by him, but on the advice and recommendation of the immediate superiors of the workman. The said confirmation was done without exercising the right of the employer company to adjudge the overall suitability of the workman in the post held. When it was subsequently found by the Management that, having regard to the knowledge of work, co-operation, initiative and potentiality of the workman, he was not fit or suitable for the post in which he was appointed, the employer company decided to terminate his services. Such termination was bonafide and without affecting the prospects of the workman in any other employment.

Regarding recovery of Rs. 254-10 for 17 and half days of absence, it is submitted that the recovery pertains to excess payment made to the workman till December 1983 and is not an act of vindictive nature, as alleged by the workman.

4. No other issues were framed besides those involved in the order of reference.

The employer did not file any list of evidence, but the workman filed his list. On the date fixed for evidence, the employer's rep. prayed for adjournment, on the ground that his witness was in Poona. As the other party did not object, case was adjourned for a fresh date. On this date too, the employer's rep. moved another application for adjournment which was objected to by the other party. The objection

was upheld by the Court and the application dismissed and the evidence of the employer was declared closed.

The workman's rep., on his side, did not want to lead any evidence and the matter was kept for arguments which both the parties have filed in writing.

5. In terms of the order of reference, it was for the employer to prove that the termination of the services of the workman was legal and justified. The employer, however, did not lead any evidence to discharge this burden. On the other side, from the statement of claim of the workman, read with Exhs. 'A' to 'F' filed alongwith it, the correctness of which has not been specifically denied by the employer in its written statement, the following facts are to be considered as admitted by the parties:

i) That, by letter dated 31-5-1982, signed by Shri R. V. Sarmalkar, Partner of the employer, the workman, after interview, was offered the employment as Sales Assistant in the establishment of the employer on terms and conditions as mentioned in the said letter (Exh 'A' of the workman), of which the following clauses are hereby reproduced since they are relevant for our purpose:

- "1. The initial period of probation will be six months but the Management reserves the right to extend this period, if found necessary. If, at the end of the period of probation, you are found suitable, your appointment will be confirmed by us in writing.
2. During the probationary period, if your work, attendance and conduct are not found satisfactory, your services are liable to be terminated without giving you any notice or pay in lieu thereof, or without assigning any reasons thereto.
5. After completion of your probationary period or earlier if your work, attendance, conduct and medical report are found satisfactory, your appointment will be confirmed in writing and you will be placed in a suitable grade.
6. No leave of any kind is permissible during the period of probation. Only after confirmation in service of the Company, you will be entitled for leave in accordance with subject to the Company's leave rules in force from time to time.
8. After confirmation, either party to this employment may terminate it by giving one month's notice in writing to the other."

ii) By letter dated 22-9-1982 addressed to the workman and signed by the said partner Sarmalkar (Exh 'C' of the workman) the services of the workman were confirmed. The last two lines of this letter read as follows:

"We hope you will work with the same dedication as you have been working for the last four months."

iii) By letter dated 22-1-1983, addressed to the workman and signed by the Partner M. V. Nevrenkar (Exh. 'D' of the workman) the services of the workman were terminated w.e.f. the close of working hours on that very day 22nd and the workman was offered one month's pay in lieu of notice.

6. The allegation of the workman in para 16 of his statement of claim that, when he had been to Shri Nevrenkar and casually inquired with him about his pay grade, referred to in clause 5 of the letter of appointment after confirmation of his services, Mr. Nevrenkar "got very wild with the workman and told the workman that his services are not wanted and he is terminating his services w.e.f. the close of office hours on 22-1-1983" seems to be true. Otherwise, how to explain that the workman, who was confirmed in the post two months before his probation period was over due to his dedicated services, was not issued any charge sheet, memo or warning, after his confirmation of services till the date of his dismissal, was, all of a sudden, terminated on that very day and with payment of one month's salary in lieu of notice.

7. The allegation of the employer in para 11 of its written statement that, on expiry of the stipulated probationary period of 6 months, the workman was not found fit for further retention in the employment and, therefore, his services were terminated cannot be accepted. It is to be noted that the 6 month's probationary period of the workman was over on 30-11-1982 and the workman had continued in services till 22-1-1983 without any remark or warning from the employer and, all of a sudden, his services were terminated on 22-1-1983 with payment of notice pay in lieu of notice. Why such hurry

in terminating the services of the workman? If the services of the workman were not satisfactory, as contended by the employer, how is that he continued in services even after the 6 months probationary period was over? Otherwise, such probationary period of 6 months would not be attracted in the workman's case, now that he was already confirmed in services after 4 months!

8. In the circumstances of the case, I am inclined to believe the workman's version that the employer only because he was demanding a suitable grade after confirmation, as provided in his letter of appointment, got wild with him and, as a vindictive measure, terminated his services. Such termination, undoubtedly, is malafide, not justified and cannot be maintained. Hence, I pass the following order:

#### ORDER

The action of the employer in terminating the services of the workman Shri P. S. Gurav w.e.f. 22-1-1983 is illegal and not justified. I, therefore, direct his reinstatement with continuity of services and full back wages. Costs of Rs. 200/- to be paid by the employer to the workman.

*Dr. Renato de Noronha*  
Presiding Officer  
Industrial Tribunal

#### Finance Department

#### Expenditure, Revenue and Control Branch

#### Notification

No. 5/9/85-Fin(R&C)

In exercise of the powers conferred by sub-section (1) of section 10A of the Goa, Daman and Diu Sales Tax Act, 1964 (4 of 1964), the Government, considering it necessary so to do in the public interest, hereby exempts the sale of sacramental wine by any dealer to the Archdiocese of Goa and Daman, from the payment of the whole of the tax payable under the said Act subject to the condition that the dealer claiming the said exemption furnishes to the appropriate assessing authority a declaration in the following prescribed form from the said Archdiocese of Goa and Daman or any person authorised by the said Archdiocese in that behalf.

#### DECLARATION

*(To be signed by the Archdiocese of Goa and Daman or by any person authorised by the said Archdiocese)*

I, ... (name) ... (state designation or status) do hereby certify that the sacramental wine sold by ... (name of the

dealer) holder of Registration Certificate No. ... under the Goa, Daman and Diu Sales Tax Act, 1964, as per his cash memo/bill No. ... dated ... for Rs. ... is purchased by us for use during the celebration of Masses by the priests.

Place ..... Signature .....

Date ..... Status .....

By order and in the name of the Administrator of Goa, Daman and Diu.

*S. V. Shirodkar*, Under Secretary (Finance Exp.).

Panaji, 10th July, 1985.

#### Law Department

#### Establishment Branch

#### District and Sessions Court

#### Order

No. DSC/MAR/GOL/1985/1179

Shri G. V. Ratnam, Addl. Civil Judge, Senior Division & Chief Judicial Magistrate, Margao, is hereby granted Earned Leave for 5 days with effect from 8-7-1985 to 12-7-1985 with permission to prefix 7th July, 1985 being Sunday and to suffix 13th & 14th July, 1985 being 2nd Saturday and Sunday respectively.

Certified that but for proceeding on leave, he would have officiated as Addl. Civil Judge, Senior Division & Chief Judicial Magistrate.

On expiry of leave granted, he is likely to be reposted in the same post and at the same station from where he is proceeding on leave.

During his absence on leave from 8-7-1985 to 12-7-1985, Civil Judge, Senior Division, Margao shall look after Civil work and Judicial Magistrate First Class, Margao shall look after the criminal work pertaining to his Court.

After availing the above leave, he will have at his credit earned leave for 121 days as on 31-12-1985.

*Eurico Santana da Silva*, District and Sessions Judge.

Margao, 8th July, 1985.